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## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:  
Date: 8/25/04 Name: Anthony P. Curtis, Ph.D., 46,193 Signature:

BRINKS  
HOFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: John M. Boyd

Appln. No.: 10/631,050

Examiner: Anthony Ojini

Filed: July 29, 2003

Art Unit: 3763

For: Method and Apparatus for Conditioning a Polishing Pad

Attorney Docket No: 7103/388

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

Transmittal Cover Letter (1p.); Response to Election Requirement (2pp.)  
 Return Receipt Postcard

## Fee calculation:

No additional fee is required.  
 Small Entity.  
 An extension fee in an amount of \$\_\_\_\_ for a \_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
 A petition or processing fee in an amount of \$\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
 An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		or	Not a Small Entity	
					Rate	Add'l Fee		Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+ \$290=	
					Total	\$		Total	\$

## Fee payment:

A check in the amount of \$\_\_\_\_ is enclosed.  
 Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
 Payment by credit card in the amount of \$\_\_\_\_ (Form PTO-2038 is attached).  
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Date: 8/25/04

Respectfully submitted,

Anthony P. Curtis, Ph.D. (Reg. No. 46,193)



hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Mail Stop Amendment  
Commissioner for Patents,  
Alexandria, VA 22313, on

8/25, 2004

(Date of Deposit)

Anthony P. Curtis, Ph.D., Reg. No. 46,193

Name of Applicant, Assignee or  
Registered Representative

Signature

8/25/04

Date of Signature

Our Case No. 7103-388

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
John Boyd	)	
Serial No.: 10/631,050	)	Examiner: Anthony Ojini
Filing Date: July 29, 2003	)	Group Art Unit: 3763
For: Method And Apparatus For Conditioning a Polishing Pad	)	
	)	

**Response to Election Requirement**

Commissioner for Patents  
Mail Stop Amendment  
Alexandria, VA 22313-1450

Dear Sir:

In response to the election of species required by the Examiner, requiring election between:

Species 1, Figs. 1-4;

Species 2, Fig. 5-6; and

Species 3, Fig. 7.

Applicant elects, with traverse, Species 3, corresponding to Claims 10-16, 18-21 and 27-53. Applicant submits that Claims 10 and 44 are generic to all of the pending species as these claims recite features which can be found in the pending claims.

Applicant also thanks the Examiner for the personal interview with Applicant's Agent, Anthony P. Curtis, conducted on August 17, 2004. In the interview, Applicant's Agent indicated that Applicant elected, with traverse, Species 3, corresponding to Claims 10-16, 18-21 and 27-53 and submitted that Claims 10 and 44 are generic.

In view of the amendments above, Applicant respectfully submits that all of the pending claims are in condition for allowance and seeks an early allowance thereof. If for any reason the Examiner is unable to allow the application in the next Office Action and believes that a telephone interview would be helpful to resolve any remaining issues, he is respectfully requested to contact the undersigned.

Respectfully submitted,



Anthony P. Curtis, Ph.D.  
Registration No. 46,193  
Agent for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200